

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Kelly Gebhardt, on February 4, 2009 at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Kelly Gebhardt, Chairman (R)
Sen. Debby Barrett, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. Ken (Kim) Hansen (D)
Sen. Jim Keane (D)
Sen. Gary L. Perry (R)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)

Members Excused:

Sen. Christine Kaufmann (D)
Sen. Jim Peterson (R)
Sen. David E. Wanzenried (D)

Members Absent: None.

Staff Present: Lindsey Hern, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 193, 1/27/2009; SB 297,
1/27/2009

Executive Action: SB 101; SB 193; SB 297

Sen. Kaufmann came in after roll call.

HEARING ON SB 193

Opening Statement by Sponsor:

00:01:22 Sen. Dan McGee (R), SD 29, opened the hearing on SB 193, Survey monument preservation.

Proponents' Testimony:

00:08:17 Warren Latvala, Licenced Land surveyor, self, and Montana Association of Registered Land Surveyors (MARLS)

EXHIBIT (nas26a01)

00:15:35 Joe Roberts, MARLS

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:16:48 Sen. Hansen
00:17:20 Sen. McGee
00:17:48 Sen. Hansen
00:17:55 Sen. McGee
00:18:40 Sen. Hansen
00:19:02 Sen. McGee
00:19:39 Chairman Gebhardt
00:19:53 Sen. McGee
00:21:07 Chairman Gebhardt
00:21:22 Sen. McGee
00:23:09 Chairman Gebhardt
00:23:18 Sen. McGee
00:24:09 Sen. Curtiss
00:24:35 Sen. McGee
00:27:21 Sen. Steinbeisser
00:27:28 Sen. McGee
00:28:33 Sen. Barrett
00:28:44 Sen. McGee

Closing by Sponsor:

00:29:11 Sen. McGee

HEARING ON SB 297

Opening Statement by Sponsor:

00:30:18 Sen. Cliff Larsen (D), SD 50, opened the hearing on SB 297, Map state gravel resources.

EXHIBIT (nas26a02)

00:32:22 Sen. Peterson came to the committee.

Proponents' Testimony:

00:35:13 Steve Wade, Montana Contractors Association (MCA)

00:36:09 Harold Blattie, Montana Association of Counties (MACo)

00:37:25 John Metesh, Montana Bureau of Mines and Geology
(MBMF)

EXHIBIT (nas26a03)

Opponents' Testimony:

None

Informational Testimony:

00:42:51 Judy Hanson, Administrator, Permitting and Compliance,
Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

00:43:50 Sen. Kaufmann

00:44:20 Mr. Wade, MCA

00:44:57 Sen. Kaufmann

00:45:17 Mr. Wade, MCA

00:46:31 Sen. Hansen

00:47:19 Sen. Larsen

00:49:50 Sen. Barrett

00:51:03 Mr. Blattie, MACo

00:53:11 Chairman Gebhardt

00:54:08 Mr. Metesh, MBMG

00:55:49 Sen. Curtiss

00:56:26 Mr. Metesh, MBMG

00:57:58 Sen. Barrett

00:58:41 Mr. Metesh, MBMG

00:59:25 Sen. Barrett

Closing by Sponsor:

00:59:39 Sen. Larsen

EXECUTIVE ACTION ON SB 297

01:03:33 **Motion:** Sen. Perry moved that **SB 297 DO PASS.**

01:04:00 **Motion:** Sen. Perry moved that **SB 297 BE AMENDED.**
(Exhibit 2)

Discussion:

01:04:36 Sonja Nowakowski, Legislative Service Division (LSD)

01:05:16 **Vote:** Motion that **SB 297 BE AMENDED** carried
unanimously by voice vote. Sen. Keane and Sen.
Wanzenried voted by proxy.

01:05:47 **Motion:** Sen. Perry moved **SB 297 DO PASS AS AMENDED.**

Discussion:

01:05:59 Sen. Barrett

01:07:23 Sen. Perry

01:08:31 **Vote:** Motion that **SB 297 DO PASS AS AMENDED** carried
unanimously by voice vote. Sen. Keane and Sen.
Wanzenried voted by proxy.

01:09:11 Sen. Gebhardt

EXECUTIVE ACTION ON SB 193

Sen. Peterson left before Executive Action on SB 193.

01:10:07 **Motion/Vote:** Sen. Curtiss moved that **SB 193 DO PASS.**
Motion carried unanimously by voice vote. Sen. Keane,
Sen Wanzenried and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 101

01:12:33 **Motion:** Sen. Perry moved that **SB 101 DO PASS.**

01:12:56 **Motion:** Sen. Kaufmann moved that **SB 101 BE AMENDED.**
EXHIBIT (nas26a04)

Discussion:

01:13:19 Mrs. Nowakowski, LSD

01:14:46 Sen. Kaufmann

01:16:40 Chairman Gebhardt

01:17:19 **Vote:** Motion that **SB 101 BE AMENDED** carried unanimously by voice vote. Sen. Keane, Sen. Wanzenried and Sen. Peterson voted by proxy.

01:18:02 **Motion:** Sen. Perry moved **SB 101 AS AMENDED**.

01:18:15 **Vote:** Motion that **SB 101 DO PASS AS AMENDED** failed 4-7 by roll call vote with Sen. Kaufmann, Sen. Perry, Sen. Tropila, and Sen. Wanzenried voting aye. Sen. Keane, Sen. Peterson, and Sen. Wanzenried voted by proxy.

01:19:20 **Motion:** Sen. Perry moved that **SB 101 BE TABLED AND THE VOTE REVERSED**.

01:19:26 Chairman Gebhardt reversed the vote and tabled the bill.

ADJOURNMENT

Adjournment: 4:36 P.M.

Lindsey Hern, Secretary

lh

Additional Documents:

EXHIBIT ([nas26aad.pdf](#))